

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

HILDA L. SOLIS, Secretary of Labor,)
United States Department of Labor,)
)
Plaintiff,) Case No. 11-cv-06987
v.)
) Hon. Amy J. St. Eve
KEITH DAVIS; A.B.D. TANK & PUMP)
COMPANY; and A.B.D. TANK & PUMP)
COMPANY 401(k) & PROFIT SHARING)
PLAN & TRUST,)
)
Defendants.)

KEITH DAVIS & A.B.D. TANK & PUMP CO.'S INITIAL 26(a)(1) DISCLOSURES

Defendants, Keith Davis & A.B.D. Tank & Pump Co. (collectively, "Defendants"), for their initial disclosures pursuant to Federal Rule of Civil Procedure 26(a)(1), state as follows:

i. The name and, if known, the address and telephone number of each individual likely to have discoverable information — along with the subjects of that information — that the disclosing party may use to support its claims or defenses, unless the use would be solely for impeachment.

(1) **Name:** Curt Manning

Address: Northwest Benefit Consultants, Inc.
31 S. Prospect Ave.
Park Ridge, Illinois 60068

Tel.: (847) 696-9231

Subjects: Mr. Manning is knowledgeable of the Plan's records and administration.

(2) **Name:** Curtis Matlin

Address: New England Financial
707 Skokie Blvd., Suite 700
Northbrook, Illinois 60062

Tel.: (847) 412-0040

Subjects: Mr. Matlin is knowledgeable of the Plan's investments and investment records.

(3) **Name:** Jeffrey Feld

Address: Alliance Pension Consultants, LLC
1751 Lake Cook Rd., Suite 400
Deerfield, Illinois 60015

Tel: (847) 291-9440

Subjects: Mr. Feld is knowledgeable of the Plan's records and administration.

Defendants make this disclosure based upon information known to them at this time and hereby reserve the right to identify additional individuals as discovery proceeds in this matter. To the extent required by the Federal Rules of Civil Procedure, Defendants may also supplement this disclosure.

ii. A copy — or a description by category and location — of all documents, electronically stored information, and tangible things that the disclosing party has in its possession, custody, or control and may use to support its claims or defenses, unless the use would be solely for impeachment.

Description	Category	Location
Plan documents, Plan records, Plan filings, and Plan summaries.	Documents	A.B.D. Tank & Pump Co. 730 Industrial Drive Elmhurst, Illinois 60126
Written communications between Defendants and outside vendors regarding the Plan and its administration.	E.S.I./Documents	A.B.D. Tank & Pump Co. 730 Industrial Drive Elmhurst, Illinois 60126

This disclosure is based on information presently known to Defendants. As discovery proceeds in this matter, Defendants may become aware of additional relevant documents, electronically stored information, and tangible things and reserve the right to identify such additional materials as they become known. To the extent required by the Federal Rules of Civil Procedure, Defendants may also supplement this disclosure.

iii. A computation of each category of damages claimed by the disclosing party — who must also make available for inspection and copying as under Rule 34 the documents or other evidentiary material, unless privileged or protected from disclosure, on which each computation is based, including materials bearing on the nature and extent of injuries suffered.

Defendants are not presently making any claims for damages against Plaintiff but specifically reserve the right to make claims in the future, possibly against Plaintiff and/or other third-parties.

iv. For inspection and copying as under Rule 34, any insurance agreement under which an insurance business may be liable to satisfy all or part of a possible judgment in the action or to indemnify or reimburse for payments made to satisfy the judgment.

Defendants are not aware of any applicable insurance agreement(s) at this time.

Dated: December 5, 2011

Respectfully submitted,

**KEITH DAVIS &
A.B.D. TANK & PUMP COMPANY**

By: /s/ Samuel J. Schumer
One of their attorneys

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